

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING

ROBERT CHEN,

Plaintiff,

v.

DAVID CHEN,

Defendant.

Case No. 2:24-cv-00198-ABJ

DECLARATION OF TIMOTHY M. STUBSON IN SUPPORT OF
DEFENDANT DAVID CHEN'S MOTION TO TRANSFER

TIMOTHY M. STUBSON, hereby declares under penalty of perjury, pursuant to 28 U.S.C. § 1746, as follows:

1. I am a partner with the law firm of Crowley Fleck PLLP, counsel for Defendant David Chen ("David" or "Defendant") in the above-referenced matter. I respectfully submit this declaration for the purpose of placing before the Court certain documents that are referenced in Defendant's Memorandum of Law in Support of Defendant's Motion to Transfer.

2. Attached as **Exhibit 1** is a true and correct copy of the complaint filed in United States District Court for the District of Maryland on March 31, 2023, in the case captioned *Yao v. Chen, Otter Audits LLC, & RC Security LLC*, No. 8:23-cv-00889-TDC (D. Md. 2023), ECF#1.

3. Attached as **Exhibit 2** is a true and correct copy of the brief served on October 7, 2024 by Plaintiff Robert Chen ("Robert" or "Plaintiff"), who is a defendant in the Maryland Action, in support of his and his co-defendants OtterAudits LLC's and RC Security LLC's (the

“Maryland Defendants”) motion to compel discovery in the Maryland Action. Pursuant to local rules in the District of Maryland, the motion was not filed with the court, but only served on the parties.

4. Attached as **Exhibit 3** is a true and correct copy of the Amended Answer with annexed exhibits, filed in the Maryland Action by the Maryland Defendants on April 12, 2024, ECF#49 to 49-5.

5. Attached as **Exhibit 4** is a true and correct copy of the brief filed by the Maryland Defendants in the Maryland Action on April 19, 2024, in support of their Motion For Judgment On The Pleadings And To Stay Discovery, ECF#50-1.

6. Attached as **Exhibit 5** are true and correct copies of the Maryland Defendant’s Motion To Dismiss Complaint For Lack Of Personal Jurisdiction and moving papers in support filed in the Maryland Action on October 6, 2023, ECF#27 to 27-5. On February 1, 2024, the court in the Maryland Action ordered the parties to submit a joint record for the motion (ECF#30). The Maryland Defendants filed corrected moving papers that only add citations to the joint records and make no substantive changes to the arguments (as the February 1 Order precluded the parties from doing so), ECF#33 and 34.

7. Attached as **Exhibit 6** is a true and correct copy of the Declaration of David Chen with annexed exhibits, filed in the Maryland Action by the David’s mother, Li Fen Yao (the “Maryland Plaintiff” or “Estate”), as executor of the estate of David’s father Sam Chen (“Sam”) on November 6, 2023, in opposition to the Maryland Defendant’s Motion To Dismiss Complaint For Lack Of Personal Jurisdiction, ECF#28-5 to 28-13.

8. Attached as **Exhibit 7** is a true and correct copy of the Maryland court’s Memorandum Opinion, dated March 11, 2024, denying the Maryland Defendant’s Motion To

Dismiss Complaint For Lack Of Personal Jurisdiction, ECF#36. A separate order was also issued denying the motion, ECF#37.

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on: November 12, 2024

/s/Timothy M. Stubson
Timothy M. Stubson

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was served on the 12th day of November 2024, via ECF Electronic filing to the following:

Amy Iberlin
Williams Porter Day & Neville, PC
P.O. Box 10700
Casper, WY 82602
aiberlin@wpdn.net

/s/ Timothy M. Stubson
Timothy M. Stubson